

1 Francesco Benavides, CSBN 258924
2 Law Offices of Francesco Benavides
3 1990 N. California Blvd. 8th Floor
4 Walnut Creek, CA 94596
5 Tel: (925) 222-7071
6 Email: francesco@benavidesdisabilitylaw.com

7 Attorney for Plaintiff
8 KACEY NICOLE WORSHAM

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 FRESNO DIVISION

12 KACEY NICOLE WORSHAM,
13 Plaintiff,
14 v.
15 FRANK BISIGNANO,
16 Commissioner of Social Security,
17 Defendant.

Case No 1:25-cv-00666-GSA

STIPULATION FOR THE AWARD AND
PAYMENT OF ATTORNEY FEES AND
EXPENSES PURSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT;
ORDER

ECF No. 18

18 IT IS HEREBY STIPULATED by and between the parties through their
19 undersigned counsel, subject to the approval of the Court, that Plaintiff be awarded
20 attorney fees and expenses in the amount of \$9,200.00, under the Equal Access to
21 Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This
22 amount represents compensation for all legal services rendered on behalf of Plaintiff by
23 counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 2412(d),
24 1920.

25 The parties stipulate that the position of the United States was not substantially
26 justified in this case, and therefore, Plaintiff is entitled to attorney fees pursuant to
27 EAJA.
28

1 After the Court issues an order for EAJA fees to Plaintiff, the government will
2 consider the matter of Plaintiff's assignment of EAJA fees to counsel. Pursuant to
3 *Astrue v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the ability
4 to honor the assignment will depend on whether the fees are subject to any offset
5 allowed under the United States Department of the Treasury's Offset Program. After
6 the order for EAJA fees is entered, the government will determine whether they are
7 subject to any offset.

8 Fees shall be made payable to Plaintiff, but if the Department of the Treasury
9 determines that Plaintiff does not owe a federal debt, then the government shall cause
10 the payment of fees, expenses and costs to be made directly to Plaintiff's counsel,
11 Francesco Benavides, pursuant to the assignment executed by Plaintiff.

12 Payments may be made by electronic funds transfer (EFT) or by check.

13 This stipulation constitutes a compromise settlement of Plaintiff's request for
14 EAJA attorney fees and does not constitute an admission of liability on the part of
15 Defendant under the EAJA or otherwise. Payment of the agreed amount shall
16 constitute a complete release from, and bar to, any and all claims that Plaintiff and/or
17 Francesco Benavides, including the Law Offices of Francesco Benavides, may have
18 relating to EAJA attorney fees in connection with this action.

19 This award is without prejudice to the rights of Francesco Benavides to seek
20 Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings
21 clause provisions of the EAJA.

22
23 Respectfully submitted,

24
25 Dated: November 21, 2025

Law Offices of Francesco Benavides

26 By: /s/ Francesco Benavides
27 FRANCESCO P. BENAVIDES
28 Attorney for Plaintiff

Dated: November 21, 2025

ERIC GRANT
United States Attorney
MATHEW W. PILE
Head of Program Litigation 1
Social Security Administration

By: Margaret Branick-Abilla*
MARGARET BRANICK-ABILLA
Special Assistant U.S. Attorney
Attorneys for Defendant
(*Permission to use electronic signature
obtained via email on November 21, 2025).

ORDER

Based upon the parties' Stipulation for the Award and Payment of Equal Access to Justice Act Fees and Expenses, **IT IS ORDERED** that fees and expenses in the amount of \$9,200.00 as authorized by 28 U.S.C. § 2412, and no costs under 28 U.S.C. § 1920, be awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

Dated: November 26, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE